

## Calendar No. 416

108TH CONGRESS  
1ST SESSION**S. 1612**

To establish a technology, equipment, and information transfer program  
within the Department of Homeland Security.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 11, 2003

Ms. COLLINS (for herself, Mr. PRYOR, Mr. COLEMAN, Mr. LAUTENBERG, Mr. VOINOVICH, Mr. AKAKA, Mr. MILLER, Mrs. CLINTON, Mr. FEINGOLD, Mr. LIEBERMAN, and Mrs. LINCOLN) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

NOVEMBER 25, 2003

Reported by Ms. COLLINS, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

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**A BILL**

To establish a technology, equipment, and information transfer program within the Department of Homeland Security.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Homeland Security  
5       Technology Improvement Act of 2003”.

1 **SEC. 2. HOMELAND SECURITY TRANSFER PROGRAM.**

2       (a) **IN GENERAL.**—Section 430 of the Homeland Se-  
3 curity Act of 2002 (6 U.S.C. 238) is amended—

4           (1) by redesignating subsection (d) as sub-  
5 section (e);

6           (2) in subsection (e)—

7               (A) in paragraph (7), by striking “and” at  
8 the end;

9               (B) in paragraph (8), by striking the pe-  
10 riod and inserting “; and”; and

11           (C) by adding at the end the following:

12               “(9) overseeing and coordinating a multi-agency  
13 homeland security technology, equipment, and infor-  
14 mation transfer program to allow for the transfer of  
15 technology, equipment, and information to State and  
16 local law enforcement agencies.”; and

17           (3) by adding after subsection (e) the following:

18               “(d) **TECHNOLOGY, EQUIPMENT, AND INFORMATION**  
19 **TRANSFER PROGRAM.**—

20               “(1) **IN GENERAL.**—The Director shall—

21                   “(A) identify counterterrorism tech-  
22 nologies, equipment, and information developed  
23 or proven to be effective by—

24                       “(i) consulting with the Undersecre-  
25 tary for Science and Technology;

1 “(ii) establishing an advisory com-  
2 mittee comprised of retired and active-duty  
3 law enforcement officials from geographi-  
4 cally diverse regions;

5 “(iii) consulting with State and local  
6 law enforcement agencies; and

7 “(iv) entering into agreements and co-  
8 ordinating with other Federal agencies to  
9 maximize the effectiveness of the tech-  
10 nologies, equipment, and information avail-  
11 able to law enforcement agencies;

12 “(B) make these technologies, equipment,  
13 and information available to State and local law  
14 enforcement agencies on an annual basis;

15 “(C) accept applications from the head of  
16 State and local law enforcement agencies that  
17 wish to acquire such technologies, equipment,  
18 and information to improve the homeland secu-  
19 rity capabilities of those agencies, and review  
20 such applications in coordination with the advi-  
21 sory committee established under subparagraph  
22 (A)(ii); and

23 “(D) transfer the approved technology,  
24 equipment, and information, and provide the  
25 appropriate training to the State or local law

enforcement agency pending the approval of the application of the State or local law enforcement agency under subparagraph (C).

~~“(2) LIMITATION ON ADMINISTRATION EXPENDITURE.—No more than 10 percent of the budget of the technology, equipment, and information transfer program under this subsection may be used for administrative expenses.~~

~~“(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated \$50,000,000 for each of fiscal years 2004 through 2014 to carry out this subsection.”.~~

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the “Homeland Security Technology Improvement Act of 2003”.*

**SEC. 2. HOMELAND SECURITY TECHNOLOGY TRANSFER PROGRAM.**

*(a) IN GENERAL.—Section 313 of the Homeland Security Act of 2002 (6 U.S.C. 193) is amended—*

*(1) in subsection (b), by adding at the end the following:*

*“(6) The establishment of a multi-agency homeland security technology, equipment, and information transfer program to allow for the transfer of tech-*

1        *nology, equipment, and information to State and*  
 2        *local law enforcement agencies.”;*

3            *(2) by redesignating subsection (c) as subsection*  
 4        *(d); and*

5            *(3) by inserting after subsection (b) the fol-*  
 6        *lowing:*

7        *“(c) TECHNOLOGY TRANSFER PROGRAM.—In devel-*  
 8        *oping the program described under subsection (b)(6), the*  
 9        *Secretary, acting through the Under Secretary for Science*  
 10       *and Technology shall—*

11            *“(1) in close cooperation with the Office of Do-*  
 12        *mestic Preparedness, conduct, on an ongoing basis—*

13            *“(A) research and development of new tech-*  
 14        *nologies;*

15            *“(B) surveys and reviews of available ap-*  
 16        *propriate technologies; and*

17            *“(C) tests, evaluations, and demonstrations*  
 18        *of new and available technologies that signifi-*  
 19        *cantly improve the capability of law enforcement*  
 20        *agencies in countering terrorist threats;*

21            *“(2) in support of the activities described in*  
 22        *paragraph (1)—*

23            *“(A) consult with State and local law en-*  
 24        *forcement agencies and others determined by the*

1        *Secretary, including the advisory committee es-*  
 2        *tablished under section 430(d);*

3                *“(B) work with the National Institute for*  
 4        *Standards and Technology and any other office*  
 5        *or agency determined by the Secretary;*

6                *“(C) at the discretion of the Secretary, enter*  
 7        *into agreements and coordinate with other Fed-*  
 8        *eral agencies to maximize the effectiveness of the*  
 9        *technologies, equipment, and information; and*

10               *“(3) provide a comprehensive list of available*  
 11        *technologies, equipment, and information to the Office*  
 12        *for Domestic Preparedness which shall administer a*  
 13        *technology transfer program described under section*  
 14        *430(d).”.*

15        *(b) OFFICE FOR DOMESTIC PREPAREDNESS.—Section*  
 16        *430 of the Homeland Security Act of 2002 (6 U.S.C. 238)*  
 17        *is amended—*

18               *(1) by redesignating subsection (d) as subsection*  
 19        *(e); and*

20               *(2) by inserting after subsection (c) the fol-*  
 21        *lowing:*

22               *“(d) TECHNOLOGY, EQUIPMENT, AND INFORMATION*  
 23        *TRANSFER PROGRAM.—*

24               *“(1) ADMINISTRATION.—The Director of the Of-*  
 25        *fice for Domestic Preparedness, in coordination with*

1       *the Under Secretary for Science and Technology, shall*  
2       *establish and administer a technology transfer pro-*  
3       *gram through which the Director shall—*

4               “(A) *make the counterterrorism technology,*  
5               *equipment, and information available to State*  
6               *and local law enforcement agencies each year*  
7               *based on—*

8                       “(i) *the comprehensive list of available*  
9                       *technologies, equipment, and information*  
10                      *described under section 313(c); and*

11                      “(ii) *the needs identified by the advi-*  
12                      *sory committee established under this sub-*  
13                      *section;*

14               “(B) *consult with State and local law en-*  
15               *forcement agencies and others, as determined by*  
16               *the Secretary;*

17               “(C) *accept applications from the head of*  
18               *State and local law enforcement agencies that*  
19               *wish to acquire such technologies, equipment,*  
20               *and information to improve the homeland secu-*  
21               *rity capabilities of those agencies, and review*  
22               *these applications with the advisory committee*  
23               *established under this subsection; and*

24               “(D) *transfer the approved technology,*  
25               *equipment, and information and provide the ap-*

1        *propriate training to the State or local law en-*  
2        *forcement agencies to implement such technology,*  
3        *equipment, and information.*

4        “(2) *TECHNOLOGY TRANSFER ADVISORY COM-*  
5        *MITTEE.*—*Under the authority of section 871, the Sec-*  
6        *retary, acting through the Director of the Office for*  
7        *Domestic Preparedness, shall establish an advisory*  
8        *committee, or designate an existing advisory com-*  
9        *mittee comprised of retired and active duty State and*  
10       *local law enforcement officers, to advise the Director*  
11       *of the Office for Domestic Preparedness and the*  
12       *Under Secretary for Science and Technology regard-*  
13       *ing the homeland security technology transfer pro-*  
14       *gram established under this subsection.*

15       “(3) *EXPANSION OF PROGRAM.*—*Upon the ap-*  
16       *proval of the Secretary, the Director of the Office for*  
17       *Domestic Preparedness may expand the program es-*  
18       *tablished under this subsection to transfer technology,*  
19       *equipment, and information to first responders other*  
20       *than law enforcement agencies and revise the advisory*  
21       *committee accordingly.*

22       “(4) *LIMITATION ON ADMINISTRATION EXPENDI-*  
23       *TURE.*—*Not more than 10 percent of the budget of the*  
24       *technology, equipment, and information transfer pro-*



1       *gram established under this subsection may be used*  
2       *for administrative expenses.*

3               “(5) *AUTHORIZATION OF APPROPRIATIONS.—*  
4       *There are authorized to be appropriated \$50,000,000*  
5       *for each of the fiscal years 2005 through 2014 to*  
6       *carry out this subsection.”.*

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